

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

_____	)	
Bonnie M. Sedberry and John C. Sedberry,	)	
	)	
Plaintiffs,	)	CIVIL ACTION FILE
	)	NO. <u>0:09-53-CMC</u>
v.	)	
	)	<b>DEFENDANTS' ANSWERS TO LOCAL RULE</b>
DonB Aircraft International, Inc. and	)	<b>26.01 INTERROGATORIES</b>
Donald R. Bennett,	)	
	)	
Defendants.	)	
_____	)	

Pursuant to Local Rule 26.01, Defendants DonB Aircraft International, Inc. and Donald R. Bennett ("Defendants") file the following Answers to Interrogatories:

**(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis of said interest.**

**ANSWER:** Defendants are not aware of any parties with subrogation interests in either of Plaintiffs' claims.

**(B) As to each claim, state whether it should be tried jury or non-jury and why.**

**ANSWER:** All of Plaintiffs' causes of action are legal claims, which should be tried to a jury pursuant to South Carolina law, and Defendants so demand a jury trial.

**(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.**

**ANSWER:** Defendant Donald R. Bennett is a private citizen. He does not have an ownership interest of 10% or more in any publicly held companies.

Defendant DonB Aircraft International, Inc. ("DonB") is a privately-held corporation incorporated under the laws of North Carolina. It is not a parent, subsidiary, partner or affiliate of any publicly owned companies; however, it does business under two trade names: (1) DB Aerotech; and (2) Fun Time Aviation. DonB does not hold a 10% or greater equity interest in any publicly owned companies. No publicly owned companies hold a 10% or greater equity interest in DonB.

**(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).**

**ANSWER:** Defendants have removed this case to the Rock Hill Division because the aircraft landing which forms the basis of Plaintiffs' claims occurred in Lancaster County, South Carolina.

**(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be pending regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.**

**ANSWER:** Defendants do not believe this action is at all related to any other matter filed in this District.

**(F) If the defendant is improperly identified, give the proper identification and**

**state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.**

**ANSWER:** Defendants are properly identified in Plaintiffs' Amended Summons and Complaint; however, it should be noted that DonB Aircraft International, Inc. contracted to perform and did perform work on the subject aircraft under its trade name of DB Aerotech.

**(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.**

**ANSWER:** Engine Components, Inc. ("ECI") of San Antonio, Texas, inspected and performed work on, and provided certifications of, certain parts from the Sedberry aircraft as part of DonB's repair of propeller strike damage to John Sedberry's aircraft. If it is determined that Plaintiffs' alleged damages were caused in whole or in part by any breaches by ECI of duties to Plaintiffs or Defendants, then ECI may be liable to Plaintiffs for their alleged damages, and ECI may be liable to Defendants under a theory of equitable indemnity or contribution.

January 8, 2009

By: /s/ C. Daniel Atkinson  
Michael B.T. Wilkes, Fed. ID # 4658  
C. Daniel Atkinson, Fed. ID # 9626

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